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FROM: Kevin McMahon ATTORNEY NO.: 164 EXT.: 8448
DATE: August 5, 1998 ROOM NO.: 3282

CLIENT/MATTER NUMBER: 42374-0003TOTAL PAGES INCLUDING THIS PAGE: 0 PREPARED BY: Brenda Ingram-Hite**PLEASE DELIVER THE FOLLOWING PAGES TO:**

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IN RE APPLICATION OF: Berlowitz et al.

Serial No.: 08/971,254 Filed: November 17, 1997

Title: Synthetic Diesel Fuel and Process for its Production

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Applicant(s): Berlowitz et al.

For: Synthetic Diesel Fuel and Process for its Production

This is to acknowledge receipt of the following:

- Notice of Improper FWC Filing under 37 CFR 1.62
- Petition to Accord Filing Date
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DCKETING FEE
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08/27/1998 11:17:07 AM BERNARD

KEVIN MCMAHON
 WEIL GUTSHAL & MANGES
 767 FIFTH AVENUE
 NEW YORK NY 10150

NOTICE TO APPLICANT

DATE MAILED: 08/27/1998

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 APR 2 1998
 KEVIN MCMAHON

NOTICE OF IMPROPER FWC FILING UNDER 37 CFR 1.62
No Filing Date Granted

The above-identified application was deposited under 37 CFR 1.62 as a file wrapper continuing application, but is improper and has not been granted a filing date for reasons shown below.

The filing date will be the date of receipt of the items required below unless otherwise indicated, provided the items are filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application. Any assertions that the items required below were submitted or are not necessary for a filing date must be by way of petition directed to the attention of the Office of Assistant Commissioner for Patents. Any such petition must be accompanied by the \$130.00 petition fee (37 CFR 1.17(i)). If the petition alleges that no defect exists, a request for refund of the petition fee may be included in the petition.

All of the below-noted omissions and/or any petition must be submitted within TWO MONTHS of the date of this notice (37 CFR 1.181(f)) or the application may be returned or otherwise disposed of and the filing fee, if submitted, will be refunded less the \$130.00 handling fee (37 CFR 1.21(n)). THIS TIME LIMIT MAY NOT BE EXTENDED PURSUANT TO 37 CFR 1.136

- ☐ 1. The application does not include the correct application number, or serial number and filing date, of the prior application
- ☐ 2. The application, which is not a continuation-in-part, was not filed by the same or less than all the inventors named in the prior application and no petition for correction of inventorship was filed
- ☐ 3. The application does not identify the names of all the inventors (37 CFR 1.41 (a)). The application uses "et al" but only one inventor was named in the prior application
- ☐ 4. The request does not include a signature of the inventor(s), assignee of the entire interest, or registered attorney or agent
- ☒ 5. The application was not filed before the payment of the issue fee, abandonment of, or termination of proceedings on the prior application:
 - a) The issue fee was paid on the prior application on _____
 - b) The prior application was abandoned, or proceedings terminated on _____
 - c) The prior application was abandoned by the filing of application number on _____ on _____ under 37 CFR 1.62
- ☐ 6. OTHER:

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/971,254	11/17/97	1111	\$790.00		4	14	2

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KEVIN MCMAHON
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JAN 12 1998

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Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

PAUL J. BERLOWITZ, EAST WINDSOR, NJ; BRUCE R. COOK,
PITTSTOWN, NJ; ROBERT J. WITTENBRINK, BATON ROUGE, LA.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A CON OF 08/544,345 10/17/95 PAT 5,689,031

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TITLE

SYNTHETIC DIESEL FUEL AND PROCESS FOR ITS PRODUCTION

PRELIMINARY CLASS: 585